

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DEVON MALCOLM,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

-----X  
**BLOOM, United States Magistrate Judge:**

The Court held an initial telephone conference in this case pursuant to Fed. R. Civ. P. 16 on December 3, 2009. The Court explained to plaintiff that he would have to prove that a breach or departure from accepted medical practice caused his injury to prevail in this action. Although plaintiff has been deported to Jamaica, I encouraged him to try to find an attorney and/or a medical expert. The Court shall hold a telephone conference on January 20, 2010 at 11:00 a.m. EST. Defendant's counsel is requested to arrange and initiate the conference call.<sup>1</sup> After establishing contact with plaintiff, defendant's counsel shall telephone the Court at (718) 613-2170.

SO ORDERED.

Dated: December 4, 2009  
Brooklyn, New York

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LOIS BLOOM  
United States Magistrate Judge

<sup>1</sup> Plaintiff shall be available at this time at the telephone number listed on the docket (1-876-420-5460), or he shall contact defendant's counsel to provide the telephone number where he can be reached.

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★ DEC 07 2009  
P.M. TIME A.M. (S) *penil*  
ORDER 08 CV 1143 (ARR)(LB)

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